

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE

ATTORNEYS

C. J. SHIPLEY and AGNES SHIPLEY,

For plaintiff:

Jack R. Givens
 1700 Fourth National Bank Building
 Tulsa, Oklahoma 74103

VS.

~~A. H. ROBINS COMPANY, INC., a Virginia corporation; and MILLER-MORTON COMPANY, a Virginia corporation; and~~
Defendant → OMEGA RESEARCH PRODUCTS CORPORATION, a Massachusetts corporation,
 DICK J. WOLLMAR (added pty def.)

Michael Minnis, (Robins & Mil-
 For defendant: ~~W. R. Wallace, Inc. (Miller-Morton)~~
 Rainey, Welch, Wallace, Ross & Cooper
 735 First National Building
 Oklahoma City, Oklahoma 73102

Richmond T. Edes,
 Eaton, Edes & McNally, Inc.
 Box 278
 Concord, Mass. 01742 (for Wollmar & Omega)

Dallas E. Ferguson (Dick J. Wollmar)
 1200 Atlas Life Building
 Tulsa, OK 74103
 685-5541

Roger L. Tuttle (A. H. Robins Co.)
 1407 Cummings Drive
 Richmond, VA 23220

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 9-1-72	Clerk	8/11	J. Givens	15.00	15 00
J.S. 6 mailed 1-1-78	Marshal	8/17	C/D 8		
Basis of Action: money judgment for breach of written contract	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-11-72	Complaint, filed. Summons issued. rm	
8-16-72	Marshal's return of service of summons, filed. Served <u>all defs.</u> in O.C. by serving Sec. of State on 8/14/72 (USM \$9.72) rm	
8-18-72	Secretary of State's return on summons filed. Executed by mailing copy of petition to Miller-Morton Company, 2007 N. Hamilton Street, Richmond, Virginia 23230, certified mail, return receipt requested on 8-14-72. ds	
8-18-72	Secretary of State's return on summons filed. Executed by mailing copy of petition to Omega Research Products Corporation, 193 West Street, Waltham, Mass. 02154, certified mail, return receipt requested on 8-14-72. ds	
8-18-72	Secretary of State's return on summons, filed. Executed by mailing copy of petition to A. H. Robins Company, Inc. 1407 Cummings Drive, Richmond, Virginia, 23220, certified mail, return receipt requested on 8-16-72. ds	
9-1-72	Defendant, A. H. Robins Co.'s motion to quash summons, filed. ds	
9-1-72	Brief of defendant, A. H. Robins Co. in support of motion to quash summons filed. ds	
9-1-72	Ordered by the court that plaintiff respond to defendants motion to quash summons with a reply brief within ten days of this date. (AEB-J) ds	
9-1-72	Defendant, Miller-Morton Co.'s motion to quash summons, filed. ds	
9-1-72	Brief of defendant, Miller-Morton Co. in support of motion to quash summons, filed. ds	
9-1-72	Ordered by the Court that plaintiff respond to defendant's motion to quash summons with a reply brief within ten days of this date. (AEB-J) ds	
9-15-72	It is ordered by the Court that by agreement of plaintiff counsel, motions of the defendants A. H. Robins Co. & Miller-Morton Co. to quash summons are now moot since Pltf. counsel is serving alias summons this date. (AEB-J)hm (letter written parties)	
9-15-72	Alias summons issued to A. H. Robins Co. & Miller-Morton Co. g	
9-21-72	Return on alias summons filed. Miller-Morton Co. served at 2007 North Hamilton St., Richmond, Virginia 23230 by mail, return receipt requested, on 9-20-72. (\$3.00) ds	
9-21-72	Return on alias summons filed. A. H. Robins Co. Inc. served at 1407 Cummings Dr., Richmond, Virginia 23220 by mail, return receipt requested on 9-20-72. (\$3.00) ds	
9-22-72	Alias summons, ret. & filed: served A. H. Robins Co., Inc. and Miller-Morton Co., Richmond Va., 9-20-72. (USM \$9.44)g	
10-26-72	Answer of Defendant, A. H. Robins Company, Inc. filed. ds	
10-26-72	Answer of Defendant, Miller-Morton Company, filed. ds	
12-4-72	Alias summons on Omega Research issued. rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-11-72	Service of Process, filed by Sec. of State of Okla., John Rogers. Received writ on 12-6-72, and on 12-7-72, I, John Rogers, forwarded a copy thereof, including a copy of petition attached to summons to Omega Research Products Corp., in Mass. (Check for \$3.00 received)v	
12-13-72	First Alias Summons, ret. & filed: served Omega Research Products Corp., Waltham, Mass., 12-6-72. (USM \$4.72)g	
5-7-73	Defts. Notice to take Depositions, filed. jj	
7-12-73	Stipulation, filed. v	
7-12-73	Affidavit of G. Wm. King, filed. v	
7-12-73	Motion of the Deft.s, A. H. Robins Co. & Miller-Morton Co., for Summary Judgment, filed. v	
7-12-73	Brief in support, filed. v	
7-12-73	Ordered by the Court that Pltf. is granted 10 days from this date to respond to Deft.s, A.H. Robins Co. & Miller-Morton Co.'s Motion for Summary Judgment. (AEB-J)v	
7-23-73	Application for Extension of Time to File Response and Brief in Ans. to Mtn. for S/J, filed. jj <i>Ch J</i>	
7-24-73	Order, filed, granting until 8-2-73 to file resp. and ans. brief to A.H. Robins Co. and Miller-Morton Co. Mtn. for Partial S/J. (AEB-J)jj	
8-3-73	<i>gross miscalc.</i> Memo. Brief of C.J. & Agnes Shipley, Pltf.s, in response to Deft.s' A.H. Robins Co. and Miller-Morton Co., Mot. for Partial Summary Judgment, filed. v	
8-13-73	Memo. reply brief of defendants, A. H. Robins Co. Inc. and Miller-Morton Co. in support of motion for partial summary judgment, filed. ds	
8-23-73	Appl. of Pltf.s C.J. and Agnes Shipley to Supplement Their Memorandum Brief in Response to Deft.s' Motion for Partial Summary Judgment, filed.v	
9-17-73	Order, filed, that Pltf.s be permitted to file Aff. as Supplemental to their Memo. Brief previously filed w/this Court. (AEB-J)v <i>supplemental</i>	
12-7-73	Appl. of pltf. to add party def., to amend complaint & brief in support filed. rm (Proposed amend. attached) <i>o to 9.</i>	
12-11-73	Order adding party deft. and granting leave to amend complaint, filed. (AEB-J)g <i>copy submitted</i>	
12-13-73	First Amendment to complaint, filed. Summons issued to Dick J. Wollmar.rm	
12-17-73	Answer of defendants A. H. Robins Co. and Miller-Morton Co. to plaintiffs' 1st amendment to complaint, filed. ds	
12-17-73	Renewal of motion of defendants A. H. Robins Co. and Miller-Morton Co. for summary judgment, filed. ds	
12-17-73	Supplemental memo. brief of defendants in support of their renewal of motion for summary judgment directed to plaintiffs' 1st amendment to complaint, 4th claim, filed. ds	

Continued -

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-17-73	Ordered by the court that plaintiffs' respond to defendants renewal of motion for summary judgment with a reply brief within ten days of this date. (AEB-J) ds	
12-28-73	Summons, ret. & filed: served Dick J. Wollmar, 12-19-73. (USM \$10.20)g	
1-2-74	Plaintiff's Brief in Reply to Supplemental Memorandum Brief of Defendants, A. H. Robins Company, Inc., and Miller Morton Company in Support of Their Renewal of Motion for Summary Judgment Directed to Plaintiffs' First Amendment to Complaint, Fourth Claim filed. e	Support
1-3-74	Plaintiff, Southerland's motion to dismiss, filed. ds	
1-3-73	Order dismissing with prejudice complaint and cause of action of plaintiff, filed and entered. (AEB-J) ds	
9-4-74	of W. R. Wallac, Jr. Notice to Take Depositions/ filed.	
9-27-74	Motice to take depositions of C. J. Shipley, filed.k	
10-23-74	APPLICATION for Leave to File Amend. to Complaint to Set Forth a 5th Claim, filed, w/copy of Amendment to Compl.jj 0 to J del. by atty.	
10-23-74	BRIEF in Support of Appl. for a Leave to File Amend. to Complaint to set forth a 5th Claim, filed.jj	
10-23-74	APPLICATION for Leave of Pltf's to Dismiss Their 4th Claim as Stated in the 1st Amendment to Complaint, filed.jj 0 to J	
10-23-74	BRIEF in Support of Appl. for Leave of Pltfs to Dismiss their 4th claim as stated in their 1st Amendment to Complaint, filed.jj	
10-24-74	ORDER for Leave to File Amendment to Complaint to Set Forth a Fifth Claim, filed. lm cpies mld. (JWM-J for AEB-J)	
10-24-74	Amendment to Complaint to Set forth a Fifth Claim, filed. lm	
10-24-74	Deposition of C.J. Shipley, on behalf of Defendants Robins and Miller-Morton, taken before Frank L. Peterson (CSR) on 10-4-74 (\$66), filed. lm	
11-7-74	Order granting plaintiff leave to dismiss fourth claim in first amendment to complaint, filed. (AEB-J)hm (copies mailed)	
11-11-74	Deposition of G. William King, taken in behalf of pltfs. at Richmond, Va. on 9-19-74 before Dwayne M. Savik, notary public, filed.k	
1-7-75	Motion of defts. A. H. Robins Co. Inc. and Miller-Morton Company for Summary Judgment and/or to dismiss plaintiffs' amendment to complaint to set forth a fifth claim, filed. g	
1-7-75	Memorandum Brief of defts Robins and Miller-Motion Co. in support of mot. for S/J and/or to dismiss amendment to complaint, filed. g	
1-7-75	MO: Pltfs. are granted 10 days to respond to defts. mot. for S/J and/or to dismiss amend. to complaint. (AEB-J)g	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-29-75	Application for extension of time to file response to defendants' motion to dismiss, filed. ds	o to j
1-29-75	Order, granting plaintiffs until 2-28-75 to file response to defendants' motion to dismiss, filed. (AEB-J) ds	
2-28-75	Appl. for time to file response to defts' Mot. for S/J &/or to Dismiss pltfs' amendment to compl. to set forth a fifth claim, filed.k	070J
3-4-75	Order, filed, granting plaintiffs until 3-31-75 to file response and answer brief to defts' mot for S/J and/or dismiss amend. to complaint. (AEB-J)g <i>mailed</i>	
3-31-75	Appl. for Ext. of Time to Resp. to Defts' A.H.Robins Co. and Miller Morton Co. for Summary Judg. and/or to Dismiss Pltfs. Amend. to Complaint to Set Forth a 5th Claim, filed.jj	O to J
4-4-75	Order, filed, granting pltfs. to 4/21/75 to file response & ans. brief to defs. Mo/SJ and/or to Dismiss. (AEB-J)rm-copies mailed	
4-21-75	Answer Brief of Pltf. to Defts' - "Memo. Brief of Defts. Robins Co. Inc., and Miller-Morton Co. in Support of Mtn. for Summary Judg. and/or to Dismiss Pltfs'. Amend. to Complaint to set forth a 5th Claim, filed.jj	
4-29-75	Appl. of def., A. H. Robins & Miller-Morton, for ext. of time to respond to pltf. response to mo/SJ and/or dismiss pltf. amed. to complaint set forth a fifth Claim, filed. rm	
4-30-75	Order, filed, granting Defts. A. H. Robins Co., Inc. & Miller-Morton Co. til 5-28-75 to file reply & brief to response of pltfs. re mot. for S/J &/or to Dismiss pltfs' amend. to compl. to set forth a fifth claim. (AEB-J)k cps mld	
5-7-75	Reply brief of defts. A. H. Robins Co. Inc. and Miller-Morton Co. to answer brief of pltfs. and in support of defts' mot. for S/J and/or dismiss pltfs' amend. to complaint to set forth a fifth claim, filed. g	
6-23-75	MO: IT IS ORDERED that the Motion for Summary Judgment filed by Defts, A. H. Robins Co. & Miller-Morton Company be and the same is hereby denied. IT IS FURTHER ORDERED that the alternative motion to dismiss pltfs' amendment to complaint to set forth a fifth claim filed by the Defts, A. H. Robins Co. & Miller-Morton Company be and the same is hereby overruled.(AEB-J)b lts mld b	
9-12-75	MO: It is ordered by the Court that this case is set for disposition on 9-24-75 at 10:00 a.m. for failure of defts. Omega Research Products Corp. & Dick J. Wollmar to answer. (AEB-J)k cps by cert ml	
9-24-75	Case called for disposition. Pltf. represented. Deft. not represented. Pltf. asks that Deft. be granted 20 days to answer. Court allows. Pltf. to prepare order.(AEB-J)b	
9-25-75	Stipulation of parties for ext. of time to ans. pltf. amendment to complaint, to set forth a 5th claim, filed. rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-29-75	Appearance of Michael Minnis on behalf of deft., motion for leave to withdraw W. R. Wallace, Jr., (deceased) as counsel of record, with ORDER of Court granting motion, filed. (AEB-J)g	
9-29-75	Order, filed, ext. time for defts. A. H. Robins Co. Inc. and Miller-Morton Co. to answer amend. to complaint until 10-3-75. (AEB-J)g	
9-29-75	Order, filed, granting Omega Research Products Corp. and Dick J. Wollmar 20 days from this date to file answer, failing which pl tf. is directed to file mot. for default judgment. (AEB-J)g	
10-1-75	Answer of deft. A. H. Robins Co. Inc. to pltf's amendment to complaint to set forth a fifth claim, filed. g	
10-14-75	Answer of Deft., Miller-Morton Company, Inc. to Pltf's Amendment to Complaint to Set Forth a Fifth Claim, filed. mm	
10-14-75	Answer of deft. Dick J. Wollmar, filed, w/Affidavit attached. lm	
10-14-75	Plaintiff's notice to take deposition of Dick J. Wollmar on 10-28-75 at Concord, MA, filed.k	
10-17-75	MO: Parties are directed to hold a pretrial conf. on or before 11-14-75 & file PT Order on or before 11-21-75. (AEB-J)k cps by cert ml	
11-3	Mtn. of Pltfs to Strike Defenses Pertaining to Personal Juris., filed.jj	
11-3	Brief in Support of Mtn. to Strike Defense, filed.jj	
11-3	Affidavit in Support of Mtn. to Strike Defense, filed.jj	
11-3-	MO: It is Ordered by the Court that Defts. are granted 10 days in which to file responsive brief to pltf's. Mtn. to Strike Defenses Pertaining to Personal Juris.(AEB-J)jj copies mailed	
11-5	Notice to take deposition of C. J. Shipley, filed. g	
11-5	Motion of deft. A. H. Robins Co. to amend answer to original complaint, filed. g	
11-5	Mot. of Deft. Miller-Morton Co. to amend answer to original compl., filed.k	
11-6	Responsive brief of defts. to pltf's motion to strike defenses pertaining to personal jurisdiction, filed. g	
11-12	Order granting motion of defts. A. H. Robins Company, Inc. and Miller Morton Company for leave to file amended answers, filed. (AEB-J)ph cps. mld.	
11-12	Amendment to answer of Defts. A. H. Robins Company, Inc. and Miller-Morton Company, filed. ph	
11-13	Applic. of deft. Wollmar for ext. of time to respond to motion, filed. hm (O to J)	
11-14	MO: Case referred to Magistrate Morris L. Bradford for F&R re all pending mots. (AEB-J)k	
11-17	Order, filed, granting deft. Wollmar until 11-24-75 to file resp. brief to pltf's mo/strike defenses pertaining to pers. jurisd. (AEB-J)hm (copies mailed)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>72-C-283</u>
C. J. Shipley et al		A. H. Robins Co., et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1975 11-21		Second Motion of A. H. Robins Co., Inc. and Miller Morton Co. to amend their Answer to original Complaint w/Motion of A.H. Robins Co., Inc. & Miller Morton Co. to amend their Answers to Fifth Claim, filed. lm (atty to ml in O)	
11-21		Pltfs' appl. for 10 days to file agreed PT Order, filed.k <i>Oct 8.</i>	
11-24		Appl. of Deft. Wollmar for time til 11-28-75 to respond to pltfs' mot. to strike, filed.k <i>Oct 9.</i>	
11-25		Order, filed, granting pltfs. til 11-31-75 to file agreed PT Order. (AEB-J)k cps mld	
11-26		Order, filed, granting deft. Wollmar til 11-28-75 to respond to pltfs' mot. to strike defenses. (AEB-J)k cps mld	
11-28		Brief of deft. Wollmar in oppos. to pltfs' mo/strike defenses pertaining to jurisdiction, filed. hm	
12-1		Appl of Pltfs. for ext. of time in which to file agreed pre-trial order, filed. ph <i>Oct 10.</i>	
12-2	MO:	It is ordered by the Court that the Pltfs. file a responsive brief within 10 days to the Second mo. of A. H. Robins Co., Inc. and Miller Morton Co. to amend their Answer to original complaint w/mo. of A. H. Robins Co., Inc. & Miller Morton Co. to amend their Answers to Fifth Claim. (AEB-J) ph cps mld.	
12-5		Order, filed, allowing ext. of time to file agreed PT Order until 12-8-75. (AEB-J)v -cps. mld.	
12-8		Pltfs. Appl. to extend time to submit agreed pre-trial order, filed. to	
12-9		Suppl. Aff. of Pltf. in support of mot. to strike defenses, fld. v	
12-9		Pltfs.' reply brief to Deft. Wollmar's Response, filed. v	
12-10		Order ext. time to 12-11-75 to file agreed pretrial order, filed. g (AEB-J-g cpies mld.	
12-11		Deft. Request for Oral Argument, filed. tc	
12-11		Pre-Trial Order, filed. lm (AEB-J) cps mld.	
12-12		Pltfs' response and brief in opposition to second motion of A. H. Robins Co., Inc. to amend answer, filed.k	
12-17	MO:	Case set for hrg. on Pltfs' mo to strike defenses pertaining to Personal Jurisdiction, deft. A. H. Robins Co., mo to amend ans. to orig. complt., deft. Miller-Morton Co.'s mo to amend ans. to orig. complt. before Mag. Bradford on 1-15-76 at 10:00 a.m. (MLB-Mag) ph	
12-26		Deft's Reply to Pltf's Response and Brief in Opposition to 2nd Motion of A. H. Robins and Miller Morton to Amend Their Answers, filed. lm	
1976 1-16	MO:	Case called for hrg. on mo. before Mag. on Pltf's motion to strike defenses pertaining to Personal Jurisdiction and deft. A. H. Robins Company, Inc., mo. to amend ans. to original complt. and Deft. Miller-Morton Co.'s mo. to amend ans. to original complt. (Cont.)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
(Cont)		Parties represented. Mag. recommends Pltf's mo. to strike defenses pertaining to personal jurisdiction be sustained, and that Deft. A. H. Robins Co., Inc's mo. to amend ans. to original complt. be sustained, and that Deft. Miller-Morton Co's mo. to amend ans. to original complt. be sustained. Pltf. counsel Mr. Jack R. Givens to prepare F&R and order in Pltf's motion in 5 days. Deft. counsel Michael Minnis to prepare F&R and order in Deft's motions in 5 days. (MLB-Mag)ph	
1-19		F&R of Mag., filed. Mag. recommends that the Ct. grant the Mots. of defts. A. H. Robins Co., Inc. and Miller-Morton Co., to amend their Answers to the Pltfs' original Complt. and to amend their answers to Pltfs' fifth claim. (MLB-Mag)ph cps. mld.	
1-27		F&R of Mag. respecting deft. Wollmar, filed. Mag. recommends that Ct. overrule mo. of Pltfs. C. J. Shipley & Agnes Shipley, to strike defense of lack of personal jurisdiction from Ans. of Deft. Wollmar, provided such deft. file mo. for leave to withdraw said ans. within ten (10) days from date of such order, failing which mo. of Pltfs. herein to strike defenses be sustained. (MLB-Mag)ph cps mld	
1-30	--	Order, filed, that the Mots. of Defts. A. H. Robins Co., Inc., and Miller-Morton Co., for lve. to amend their answers to Pltfs.' Orig. Compl. & Pltfs.' 5th claim is granted. (AEB-J)v -cps. mld.	
2-9		Order, filed, that Pltfs' mo. to strike the defense of lack of personal juris. contained in the Ans. of the Deft., Dick J. Wollmar, or in the alternative, that such entire Ans. be overruled, provided that said deft. shall file his mo. for Leave to Withdraw said Ans. within 10 days, failing which Pltfs' mo. to strike the defense of lack of personal jurisdiction should be sustained.(AEB-J)ph cps mld	
2-11	--	Amendment of A.H. Robins Co., Inc., & Miller-Morton Co. to Their Ans. to Pltfs.' Fifth Claim, fld. v	
2-11	--	First Counterclaim, fld. by Deft. A.H. Robins Co., Inc., & Miller-Morton Co. v	
2-17		Second Motion of Defts. A. H. Robins and Miller Morton Co. for S/J, filed.k	
2-17		Affidavit of G. William King in support of second mot. for S/J, filed.k	
2-17		Brief in support of second mot. for S/J, filed.k	
2-17	MO	It is ordered by the Court that Pltfs. are granted 10 days to respond to the second mot. of defts. Robins & Miller-Morton for S/J. (AEB-J)k	
2-19		Mo. of deft. Dick J. Wollmar for leave to withdraw ans. and for enlargement of time to file ans., filed. ph	
2-19		Brief in support of deft. Wollmar's mo. for leave to withdraw ans. & for enlargement of time to answer, filed. ph	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE <u>9</u> OF <u>5</u> XXXX sheets
DATE	NR.	PROCEEDINGS	
1976 2-23		Order, filed, allowing deft. Wollmar to w/draw ans. filed 10-14-75 in accordance w/ Court's order of 2-9-76, & granting deft. 5 days to file ans. (AEB-J)k cps mld	
2-23		Answer of Deft. Dick J. Wollmar, filed.k cps mld	
3-1		Appl. for Ext. of Time to Resp. to Defts. Al.H. Robins Co., Inc. & Miller-Morton Co. 1st Counterclaim, filed.jj <i>o.t</i>	
3-1		Order granting pltfs. until 3-8-76 to file response to defts. A. H. Robins Co. Inc. and Miller-Morton Company first counterclaim, filed. (AEB-J)g cp mld.	
3-8		Appl. for Ext. of Time to Resp. to 2nd Mtn. for S/J, to and including 4-7-76, filed.jj 0 to J	
3-8		Mtn. to Strike Personal Juris. Defenses Because of Waiver Thereof, filed.jj	
3-8		Brief In Support of Mtn. to Strike Defenses Sounding in Lack of Pers. Juris., filed.jj	
3-8		Answer to Defts' Counterclaim, filed.jj	
3-8	MO:	It is ordered by the Court that the defts. file a responsive brief within 10 days to Pltfs' mo. to strike personal jurisdiction defenses because of waiver thereof. (AEB-J)jj cps mld	
3-9		Order, filed, granting Pltfs. until 4-7-76 to file a Response and Brief to the Second Mo. for S/J. of defts. A. H. Robins Co., Inc. and Miller-Morton Company. (AEB-J)ph cps mld.	
3-19		Brief in Response to Pltfs' Motion to Strike Personal Jurisdiction Defenses Because of Waiver Thereof, filed. lm	
3-18		Deft. Dick J. Wollmar's brief in response to Pltfs' mo. to strike Personal Jurisdictional defenses, filed. ph	
4-7		Pltfs' answer brief to second mot. of defts. Robins & Miller-Morton for S/J, filed.k	
4-16	MO	Case set for hrg. before Mag. on pending mots. on 5-13-76 at 9:00 am (MLB-Mag)k cps by KT	
5-13	MO	Case called for hrg. before Mag. on pending mots. Parties present. Mag. finds that pltf's mot. to strike personal jurisdiction defenses should be overruled and that defts. Robins & Miller-Morton's second mot. for S/J should be overruled. Findings and Recommendations and proposed Order to be submitted w/in five days. (MLB-Mag)k	
5-18		Findings and Recommendations of Magistrate, filed. (MLB-Mag)k cps mld	
5-24		F&R of Mag. filed, Mag. recommends to the Ct. second motion for summary judgment of the defendants A. H. Robins Co, Inc., & Miller-Morton Co. be overruled.s (MLB-Mag.) cps. mld.	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
Shipley		A. H. Robins	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
5-28		Pltfs. C. J. Shipley and Agnes Shipley's objection to findings and recommendations of Mag., filed.s	
5-28		Pltfs. brief in support of objection to findings and recommendations of Mag., filed.s	
6-1	M.O.	It is ordered by the Court that the Def. Wollmar file a responsive brief within ten (10) days to Pltfs. objection to findings and recommendations of Mag. s (AEB-J) Cps Mld.	
6-3		Objecton to F&R of Mag. of A. H. Robins Co. and Miller-Morton Co, filed.	
6-3		Brief in support of objection to F&R of Mag. of Robins & Miller-Morton, filed. ph	
6-3	MO:	It is ordered by the Court that the Pltf. file a resp. brief within 10 days to Objection to Findings & Recomm. of Mag. filed by defts. Robins & Miller-Morton.(AEB-J)ph cps mld	
6-8		Brief of Def. Dick J. Wollmar in response to Plaintiffs' objection to findings and recommendations of Magistrate, filed.s	
6-11		pltfs' appl. for extension of time till 6-24-76 to respond to defendant's objections to findings of magistrate, filed.s 0 to J.	
6-18		Order, filed, granting pltf. to 6/24/76 to respond and file brief to appl. for ext. of time to respond to def. obj. to F&R of Mag. (AEB-J)rm-copies maield	
6-24		Pltf's brief in opposition to objection to Findings & Recommendations of Magistrate, filed. g	
9-22		Order, filed, overruling objections to Mag. F&R and overruling second cps mot. for S/J filed by defts. A. H. Robins & Miller-Morton. (AEB-J)k mld	
9-22		Order, filed, overruling objections to Mag. F&R and overruling pltf's motion to strike personal jurisdictional defenses. (AEB-J)k cps ml	
10-26	MO:	Case set for Non-Jury on 11-29-76 at 10:00 a.m. (AEB-J)n nts by cert. ml w/affid.	
11-11		Motion of deft. Wollmar for S/J, filed. 1m	
11-11		Brief in support of deft. Wollmar's motion for S/J, filed. 1m	
11-11	MO:	It is ordered by the Court that pltfs are granted ten days from this 1m date to file a response to deft Wollmar's motion for S/J.(AEB-J)ltrs mld	
11-12		Deft. Dick J. Wollmar's motion for continuance of non-jury trial set for 11-29-76 until Court has had an opportunity to consider and rule on the mot. for S/J of deft. Wollmar, filed.s 0 to J	
11-16		Order, filed, that the case be continued from the non-jury docket of 11-29-76 until such time the Ct. has had an opportunity to consider and rule on the Mot. for S/J filed on behalf of Dick J. Wollmar, deft.s (AEB-J) cps. mld.	
11-22		Pltfs' appliaction for ext. of time to file answer brief to mot. for S/J of deft. Dick J. Wollmar., filed.s 0 to J	
11-22		Copy of deposition (filed as original) of Dick J. Wollmar taken on 10-28-75 at Massachusetts, filed.s	
11-23		Order, filed, granting pltfs. an addn'l 30 days to file ans. brief to mot. for S/J of deft. Dick J. Wollmar (until 12-23-76).s (AEB-J) cps. mld.	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
Shipley	A. H. Robins	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1976 12-17		Stip. for dismissal with prejudice against defts A. H. Robins, Inc. and Miller-Morton Company, filed w/stip. that counterclaim of defts. A. H. Robins Co., Inc. and Miller-Morton Co. against the pltf's may be dismissed with prejudice, each pty to bear its own costs, filed. lm
12-17		General release of all demands against A. H. Robins Co., Inc. and Miller-Morton Co. by C. J. Shipley and Agnes Shipley and Jack R. Givens, Atty for pltf), filed. lm
12-17		Pltf's covenant not to sue defts A. H. Robins Co., Inc. and Miller-Morton Co., filed. lm
12-20		Order, filed, that pltf's action as against defts. A. H. Robins Company, Inc. and Miller-Morton Company, be and is hereby dismissed with prejudice, each party to bear its own costs; further ordered that the counterclaim of defts. A. H. Robins Company, Inc. and Miller-Morton Company, is dismissed with prejudice, each party to bear its own costs.s (AEB-J) cps. mld.
12-20		Pltf's applic. for ext. of time to file ans. brief, filed. hm
12-22		Order, filed, granting pltf's. til 12-28-76 to file brief in ans. to deft. Wollmar's mot. for S/J. (AEB-J)k cps mld
12-28		Pltf's. response to def. Wollmar's mo/SJ, filed. rm
12-28		Brief in opposition to def. Wollmar's mo/SJ, filed. rm
12-29		Application for hearing on S/J motion of deft. Dick J. Wollmar, filed.s 0 to J <i>1-7-77 a in file per me</i>
1977 3-30	MO	The Court has for consideration the Appl. for Hrg. on deft. Wollmar's Mot. for S/J. IT IS ORDERED that said Application be and the same is hereby granted and the Court will set the Mot. for hrg. on the next appropriate docket. (AEB-J)k cps mld
3-31	MO	Case set for hrg. on deft. Wollmar's mot. for S/J and pltf's response thereto on 5-3-77 at 10:00 a.m. (AEB-J)k ntc by cert ml
4-27		Deft. Dick J. Wollmar, Appl. for continuance. fld. 0 to J. ho
4-28	MO	It is ordered by the Court that the hrg. on deft. Wollmar's mot. for S/J is continued from its present setting on 5-3-77 at 10:00 a.m. to be reset by the Court and the appl. for continuance is granted. (AEB-J)k cps mld
6-7	MO:	Case referred to Magistrate Robert S. Rizley for findings & recommendations on pending motions.(AEB-J)b
6-27	MO	Case set for hrg. on deft. Wollmar's mot. for S/J before Mag. Rizley on 7-8-77 at 3:30 p.m. (RSR-Mag)k ntc by KT
7-8	Min	Case called for hrg. on deft. Wollmar's mot. for S/J. Parties represented. Mot. taken under advisement. Parties directed to submit proposed findings & recommendations w/in 10 days. (RSR-Mag)k
7-18		Letter and attachments, filed, as additional authorities in support of pltf's position.k
7-19		Letter and attachments, filed, as response to pltf's authorities in letter of 7-14-77 & filed 7-18-77 by deft. Wollmar.k

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1977		
8-26		Letter from pltf. counsel filed as additional authority in support of pltf's position.k
8-26		Letter from deflt. counsel filed as response to pltf's letter citing additional authority.k
9-30	MO	It is recommended by the Mag. that deflt. Wollmar's mot. for S/J be overruled. Pltf. counsel is granted 10 days to prepare F&R of the Mag. (RSR-Mag)k cps by KT
10-11		Pltfs' appl. for 10 days to submit Mag. F&R, filed.k O to Mag.
10-13		Order, filed, that Pltfs are granted 10 day extension to file proposed F&R,
11-3		until 10-22-77.(RSR-Mag)b cps mld
11-3		Findings & Recommendations of Mag., fld. Mag. recommends that the mot. for S/J of Deft. Dick J. Wollmar be denied and that this action proceed to trial on its merits. (RSR-Mag) cps mld. ho O to J.
11-14		Deft. Wollmar objections to F&R of Mag. fld. ho
11-14		Deft. Wollmar brief in supp. of obj. to F&R of Mag. fld. ho
11-14	MO	It is ordered that the Pltf. is granted 10 days to file a responsive brief to Deft. Wollmar obj. to F&R of Mag. (AEB-J) cps mld. ho
11-21		Pltfs' appl. for 10 days to respond to deflt. Wollmar's objections to F&R of the Mag., filed.k O to J
11-22		Order, filed, granting pltfs. until 12-5-77 to respond to deflt. Wollmar's objections to F&R of the Mag. (AEB-J)k cps mld to movant
12-6		Joint stipulation for dismissal with prejudice, filed.k O to J
12-7		Order, filed & entered, that cause of action & compl. of pltfs. against deflt. Wollmar are dismissed with prejudice, court costs to be borne by the pltfs. (AEB-J)k cps mld